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REMARKS

The Applicants and the undersigned thank Examiner Gant for his careful review of this application and especially for the indication of allowable subject matter in Claims 1-11.

Upon entry of this amendment, Claims 12-33 have been cancelled while allowed Claims 1-11 and new Claims 34-42 remain pending in this patent application. Claim 1 is the only independent claim.

The Applicants note that the Examiner's Office Action of October 6, 2006 failed to identify newly added claims 28-33 as pending. These new claims were added in a preliminary amendment, which was filed with this patent application on November 12, 2003.

Consideration of the present application is respectfully requested in light of the above claim amendments to the application and in view of the following remarks.

Claim Rejections Under 35 U.S.C. §§ 102 & 103

The Examiner has rejected Claims 12-24 under 35 U.S.C. § 102(e) as being anticipated by U.S. Pat. No. 6,240,073 issued in the name of Reichman et al. The Examiner also rejected Claims 25-27 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. Application Publication No. 2002/0080066 published in the name of Dent in view of U.S. Pat. No. 5,552,920 issued in the name of Glynn.

As noted above, the Applicants have cancelled rejected Claims 12-27 as well as Claims 28-33. Therefore, the Examiner's rejection of these claims has been rendered moot. Accordingly, reconsideration and withdrawal of these rejections as well as an early Notice of Allowance are respectfully requested.

Comments on Statement of Reasons for Allowance pursuant to 37 CFR § 1.104(c) and MPEP § 1302.14

The Applicants appreciate the Examiner's Reasons for Allowance for Claims 1-11 that were presented in the last Office Action of October 6, 2005. However, the Applicants respectfully submit that the Examiner's reasons need some clarification.

The Applicants repeat the Examiner's reasons for allowance as follows for discussion purposes:

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"Regarding claim 1, this application is a divisional of 09/576,475, which is now US Patent 6,704,543. Said patent has allowed a somewhat broader claim of this system. Claim 1 adds to the already patented system hubs that received a first protocol and transmit a second protocol. For the reasoning of narrowing the claim, the claim [1 of this application] is allowed."

The Applicants provide below a copy of independent Claim one of the '543 patent noted above and allowed independent Claim 1 of the current application in the table below:

TABLE 1 - Comparison of Patent Claims

Claim 1 of U.S. Pat. No. 6,704,543	Claim 1 of Current Patent Application
<p>1. A satellite communications system for distributing information to user terminals, said system comprising:</p> <p>a satellite in a geosynchronous orbit;</p> <p>a first terminal located in a first spot beam produced by the satellite;</p> <p>a first hub located within the first spot beam produced by the satellite;</p> <p>a second terminal located in a second spot beam produced by the satellite, the first spot beam being spatially isolated from the second spot beam;</p> <p>a second hub located within the second spot beam produced by the satellite; and</p> <p>a land-based communications network linking the first hub and second hub, said system comprising the first terminal communicating with the second terminal by transmitting the information along the first spot beam to the satellite, the satellite transmitting the information along the first beam to the first hub, the first hub routing the information over the land-based network to the second hub, the second hub transmitting the information along the second spot beam to the satellite, and the satellite transmitting the information along the second spot beam to the second terminal.</p>	<p>1. (Original) A satellite communications system for distributing information to user terminals located within a plurality of spot beams, the satellite communications system comprising:</p> <p>a communications satellite in a geosynchronous orbit;</p> <p>a plurality of hubs each located within a respective spot beam, and adapted to:</p> <p>route information received from a first user terminal located within a first spot beam via the communications satellite to a second user terminal located within a selected one of the spot beams via the communications satellite;</p> <p>wherein the communications satellite is adapted to:</p> <p>receive the information according to a first protocol from the first user terminal;</p> <p>transmit the information according to the first protocol to a first hub located within a selected one of the spot beams;</p> <p>receive the information according to a second protocol from the first hub; and</p> <p>transmit the information according to the second protocol to a second user terminal located within a selected one of the spot beams.</p>

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After comparing the elements of Claim 1 of the '543 patent with the elements of independent Claim 1 of the current pending patent application listed in Table 1 above, the Applicants respectfully submit that while these two claims do share some common elements such as two terminals, there are several elements in each independent claim, such as the land-based communications network in Claim 1 of the '543 patent, that are not common between the two claims.

Therefore, the Applicants respectfully submit that Claim 1 of the current pending application cannot be accurately characterized as more narrow in breadth relative to independent Claim 1 of the '543 patent. The Applicants respectfully submit that a more accurate characterization is that while these claims do share some common elements, both independent claims have a different scope of protection for the technology.

The Applicants are submitting these comments so that if the claims listed above are ever litigated, it will be understood that the independent claims of this application have varying degrees of scope and unique combinations of elements that are not found in the prior art and that are different relative to independent Claim 1 of the '543 patent.

New Claims 34-42

The Applicants have added new dependent Claims 34-42 to further describe and protect the technology. Since these new dependent claim ultimately refer back to allowed independent Claim 1, these claims should also be allowable over the prior art of record. Consideration of these claims and an early Notice of Allowance are respectfully requested.

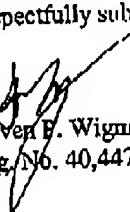
CONCLUSION

The foregoing is submitted as a full and complete response to the Office Action mailed on October 6, 2006. The Applicants and the undersigned thank Examiner Gant for consideration of these remarks. The Applicants have amended the claims and have submitted remarks to traverse the rejections of Claims 12-27. The Applicants respectfully submit that the present application is in condition for allowance. Such action is hereby courteously solicited.

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If the Examiner believes that there are any issues that can be resolved by a telephone conference, or that there are any formalities that can be corrected by an Examiner's amendment, the Examiner is invited to contact the undersigned in the Atlanta Metropolitan area (404) 572-2884.

Respectfully submitted,


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